



08.10.2023

A Year of Mobilisation. Persecution due to protest against the war and mass conscription into the army

Русская версия

The mobilisation in 2022, which Russian authorities called ‘partial,’ will be remembered by Russian residents for a long time. The head of the Ministry of Defense, Sergei Shoigu, ordered the conscription of 300,000 individuals into the military.

This was immediately followed by raids and extensive roundups of people: men **were stopped** at the underground stations and handed summonses, they were anticipated at the building entrances in the morning, and in some cases they came straight home and were taken to the military registration and enlistment office.

The announcement of mobilisation led not only to emigration — with at least 200 thousand people **leaving** in the first week after September 21 — but also mass protests in various cities. OVD-Info recalls and analyzes how those who opposed mobilisation and war were persecuted.

RALLIES DETENTIONS

The mobilisation caused not only protest and dissatisfaction with the conscription itself, but also a new wave of actions against a full-scale invasion of Ukraine: people voiced their opposition both against the war and the authorities' demand to go to the front.

According to OVD-Info, between September 21 and October 10, 2022, security forces made a total of 2,457 arrests.

- In 84% of the cases, we have information about the gender of those detained at protests against mobilisation: 56% of these individuals are women (1,162), while 44% are men (908). This indirectly indicates the substantial role of women in anti-war protests.
- We have data on the age of 59% of the total number of detainees: out of 1,079 cases, the majority consisted of young people aged 18 to 35.

The highest number of detentions occurred in five regions: Moscow — with 976 individuals detained, St. Petersburg — 655, Dagestan — 121, the Novosibirsk region — 93, and the Sverdlovsk region — 59.



**OVD-Info collects data on repressions by the Russian authorities in the annexed Crimea, because we have the opportunity to verify these data*

Source: OVD-Info • [Get the data](#) • Created with [Datawrapper](#)

The security forces acted harshly. For instance, during the first protest against mobilisation on September 21, 2022, both physical and psychological violence **were employed** against protesters. OVD-Info has documented cases in which people were physically assaulted by the police during or after their arrests; in Moscow, a detainee even lost consciousness due to the beating. In St. Petersburg, security officials forced people to kneel. During the second major demonstration on September 24, minors were **detained** in Moscow, St. Petersburg, and Saratov.

The conditions of detention were also far from ideal: in St. Petersburg, detainees were transported in overcrowded police buses, while in Krasnodar, a police bus **broke down**. Additionally, in Moscow, St. Petersburg, Ufa, and Yakutsk, protesters had their phones confiscated.

Men detained during the protests were delivered with summonses to military registration and enlistment offices in police departments: following the events on September 21 in Moscow, such incidents occurred in at least 15 Moscow departments, similar cases observed in Voronezh. A similar

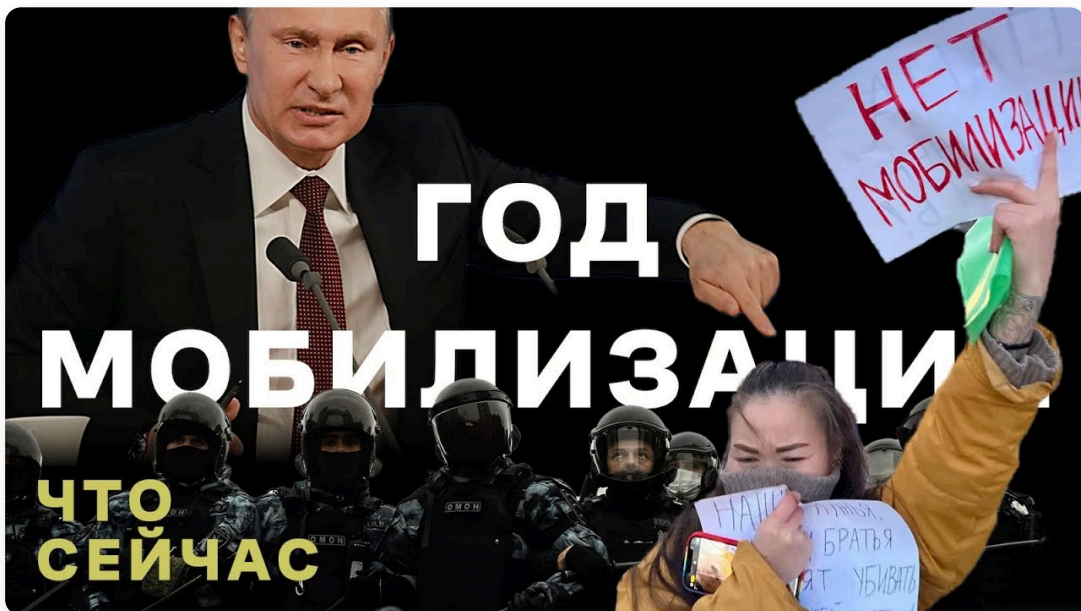
case **recurred** on September 24 in six Moscow departments, as well as in Irkutsk and Ryazan.

Security forces have since started to adopt this practice more widely: they **issued** summonses both to those held in detention centers after protests and to people **detained** for individual actions.

OVD-Info affiliate lawyers provided assistance to 3,307 individuals, while an additional 316 people were consulted by lawyers and attorneys remotely.

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ADMINISTRATIVE PROSECUTION

Those detained during protests against mobilisation faced an array of charges:

- discrediting the Russian army (Article 20.3.3 of the Code of Administrative Offences)
- violation of the established procedure for conducting rallies (Article 20.2 of the Code of Administrative Offences)
- organization of mass simultaneous stay or movement of citizens in public places that cause a violation of public order (Article 20.2.2 of the Code of Administrative Offences)
- disobedience to a legal request of police officers (Article 19.3 of the Code of Administrative Offences)

Below we provide data pertaining to persecutions under Articles 20.2 and 20.3.3 of the Code of Administrative Offences. Notably, there were a multitude of administrative cases initiated under the purview of the other two articles, 19.3 and 20.2.2 of the Code of Administrative Offences, during the mobilisation protests. Deducing the precise grounds for these initiations can be challenging.

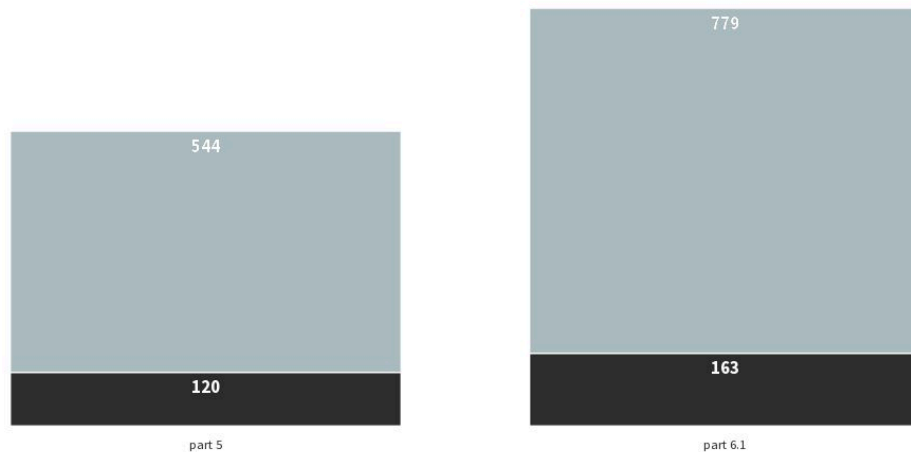
Article 20.2 of the Code of Administrative Offences

From September 21 to October 10, 2022, the courts considered 1,747 administrative cases under Article 20.2 of the Code of Administrative Offences. In 309 of these cases, OVD-Info analysts noted the inclusion of the term «mobilisation.» After a thorough analysis of the court decisions, we can conclude that all 1,747 decisions relate to actions against mobilisation. The absence of any explicit reference to mobilisation in certain cases may be attributed to variations in the wording of protest materials, specifics within the protocols, or other procedural details. Nonetheless, the dates on the protocols indicate that the penalties were specifically imposed for involvement in these actions.

Participants in the protests were most often charged under Part 5 (violation of the established procedure for conducting a public event) and Part 6.1 (participation in an unauthorized demonstration causing disruption to transportation infrastructure) of Article 20.2 of the Code of Administrative Offences.

Number of cases on Article 20.2 with or without mentioning "mobilization"

■ mentioned ■ didn't mention



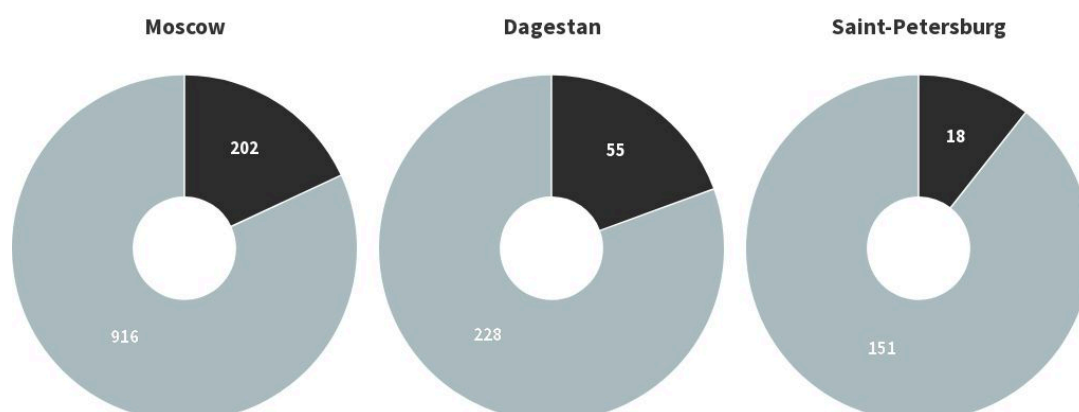
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The leaders in Article 20.2 of the Administrative Offenses Code during the specified period were Moscow, Dagestan, and St. Petersburg

Number of court decisions with or without mentioning mobilization

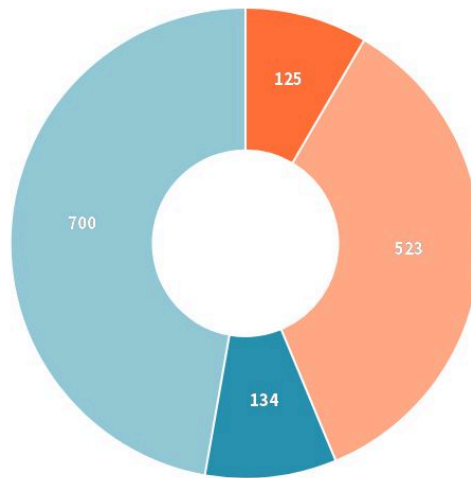
■ Mentioned ■ Not mentioned



From September 21 to October 10, 2022, the courts considered 1,747 administrative cases under Article 20.2 of the Administrative Code. Having analyzed court decisions, we can conclude that all 1,747 decisions relate to actions against mobilization.

Gender of people persecuted under Article 20.2 of the Code of Administrative Offenses
Number of court decisions with or without mentioning mobilization

■ women, mentioned ■ women, not mentioned ■ men, mentioned ■ men, not mentioned



From September 21 to October 10, 2022, the courts considered 1,747 administrative cases under Article 20.2 of the Administrative Code. Having analyzed court decisions, we can conclude that all 1,747 decisions relate to actions against mobilization.

Article 20.3.3 of the Administrative Offenses Code

Article 20.3.3 was included in the Code of Administrative Offenses 8 days after the start of the invasion of Ukraine. It applies to any expression of anti-war views: participation in mass and individual protest actions, public statements on social media and in public places, use of anti-war symbols or the colors of the Ukrainian flag.

Within the period from September 21 to October 10, 2022, 414 cases under this article were filed in the courts. (**NOTE:** *Mass protests against mobilization continued until September 26, 2022. Because of this, the filing of cases in the courts could have been delayed, so OVD-Info analysts counted cases until October 10, 2022*). In at least 100 of them, mobilization and protest against it were mentioned: in 36 cases, the courts imposed a minimum fine of 30,000 rubles, and in 63 cases, the sentence is unknown.

Most administrative cases mentioning «mobilization» were initiated in Moscow, with 32 such decisions found.

 <p>"Demonstrated a means of visual agitation, namely a placard with the inscription 'We are not sheep' and a disposable medical mask on their face with the inscription 'Do not kill!'"</p>	 <p>"Said, 'The country is completely destroyed, scorched earth, lying so brazenly, if we have only 5,000 losses, then why do we need mobilization? Let's think about it, analyze why we need mobilization?'"</p>
 <p>"Held a placard in the shape of a sheet of paper with the inscriptions 'Russia with Putin = Russia without a future' and 'no war.'"</p>	 <p>"Decided to take a brick and smash the window at the military enlistment office."</p>
 <p>"Had a cardboard was on their jacket, painted in yellow and blue stripes, visually resembling the flag."</p>	 <p>"Chanted slogans 'NO to WAR,' 'NO MOBILIZATION,' attracting the attention of an unlimited number of individuals and the media."</p>

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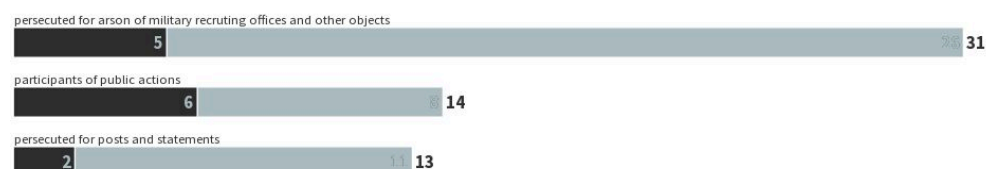
CRIMINAL CASES

People who protested against mobilization in various ways, from public statements to arson of military enlistment offices, faced criminal cases. According to OVD-Info, criminal cases related to protests against mobilization were initiated against 58 individuals.

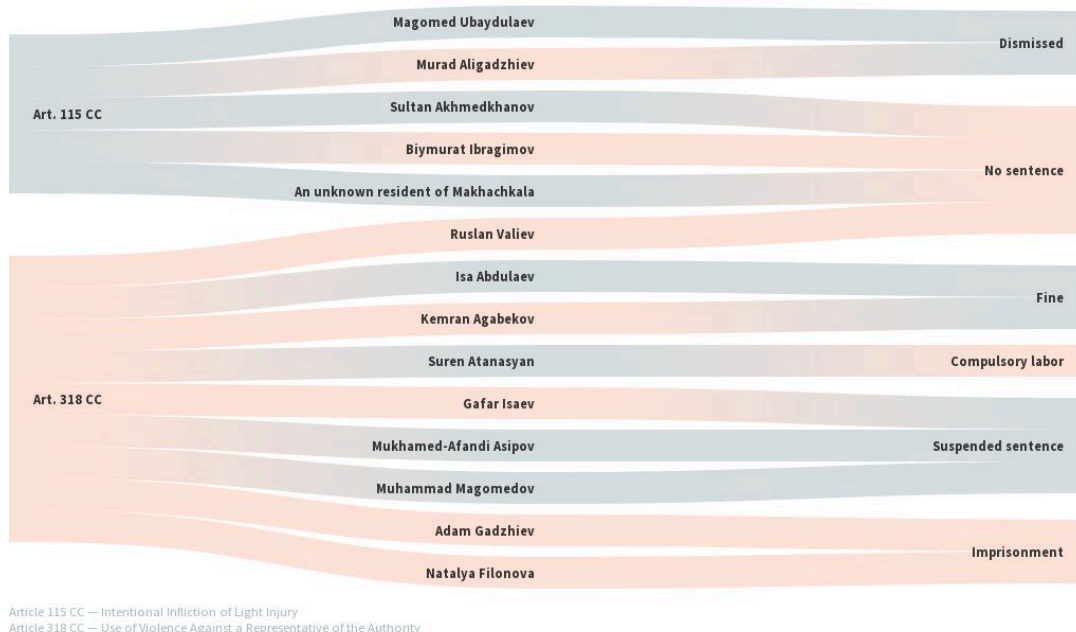
NOTE: *In reality, there may be more such cases — however, we are reliably aware about the anti-war motives of the accused in all cases. We only take into account such cases in the statistics.*

Criminal cases against people who protested mobilisation in various ways

■ were tortured / used violence against ■ others



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Bringing criminal charges related to mass protests is an established practice. Since 2014, OVD-Info has **learned** about at least 500 people who were subjected to criminal prosecution for participating in mass protests.

Most criminal cases were opened in Dagestan, where clashes with the police occurred during the protests of September 25 and 26, 2022. At least 11 men were charged for using force against police officers (part 1 and 2 of Article 318 of the Criminal Code), and the charges against five of them were later reclassified to be more lenient (Article 115 of the Criminal Code). Most of them have already been convicted, and the severity of their sentences depends on whether they pleaded guilty and cooperated with the investigation: some of them were sentenced to a court fine or were given a suspended sentence (**NOTE: In these cases, criminal charges were reclassified to more lenient ones and subsequently dropped**); others were sentenced to actual time in prison.

Other criminal cases opened in the wake of mass protests against the war and mobilization are also related to alleged

use of force against law enforcement officers. For instance, Natalya Filonova, a 61-year-old activist from Ulan-Ude, was accused of allegedly attacking police officers in a car while she was being driven from court after an administrative hearing. She was initially placed under house arrest and later taken to a pre-trial detention center for violating the previous measure of restriction. Guardianship authorities then took Filonova's adopted son from her relatives and placed him in an orphanage. The 15-year-old teenager later said that other children in the orphanage beat and harassed him by the directive of the director of the institution. At the end of August 2023, Filonova was sentenced to two years and ten months in prison.

Investigative authorities regularly accuse the participants of mass protests of using force against police (Article 318 of the Criminal Code). We notice a discriminatory bias in such court cases: protest participants are more often sentenced to actual and longer prison terms than other defendants charged under the same article.

The actions of protesters that give rise to such charges usually take place amid mass violence committed by the police. However, government authorities do not document the use of force by law enforcement officers in any way. We are not aware of a single case over the past ten years in which a police officer has been held accountable for police violence during protests.

For online posts and other public statements:

Criminal cases were also opened for online posts and other public statements that criticized the mobilization and called for resisting the government's demands. OVD-Info is aware of at least ten defendants who are being prosecuted for posts on social networks related to the mobilization in the period from September 21 to October 21, 2022.

<p>An anonymous resident of Kirov (Kaluga Oblast) Article 205.2 of the Criminal Code – Public calls for acts of terrorism</p> <p>The grounds for bringing charges against him were his posts on social media in which, according to the investigation, he called for committing acts of terrorism and violence against “persons authorized to conduct a mobilization campaign”</p>	<p>Vasily Bolshakov (Ryazan Oblast) Article 280.3 of the Criminal Code – “Discrediting” of Russian Armed Forces</p> <p>The reason for bringing charges against him was an anecdote Bolshakov published on social media which said: “– Sergey, why are we retreating from Kherson? – Volodya, it was you after all who ordered us to liberate Ukraine from fascists and Nazis..” In addition, Bolshakov was charged for comments he wrote under the post of another social media user on September 22, 2022. In those comments, he spoke out against the war and called for boycotting the mobilisation.</p>	<p>Tatyana Moska Article 280.4 of the Criminal Code – Discrediting of Russian Armed Forces</p> <p>According to the investigation, she conducted propaganda to disrupt the “military recruitment”</p>
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One of the most high-profile prosecutions related to anti-mobilisation sentiments had been the «Mayakovsky case», initiated in response to the «Mayakovsky readings» of poetry on September 25, 2022 on Moscow’s Triumphalnaya Square. The participants proclaimed that these readings were anti-mobilisation and spoke out against military recruitment. That day, police came to the event and detained two people. Three more were **detained** later, as they were exiting their homes. All five were charged with administrative offences related to violating the rules for holding rallies (Article 20.2 of Russian Administrative Offences Code).

The next morning, law enforcement officers **broke into** the apartment where three activists, Alexandr Menyukov, poet Artyom Kamardin and his girlfriend Alexandra Popova, were staying. Popova claimed that she and Kamardin were subjected to torture, and Kamardin was **sexually assaulted**. After the search, the officers published a video in which Kamardin, on his knees, «apologised» for the couplet (**NOTE:** «Glory to Kievan Rus, Novorossia can fuck off») he performed during the «Mayakovsky readings». He **was refused** hospitalisation, despite the fact that ambulance workers documented multiple injuries in the presence of a lawyer.

The same day, it became known that a criminal investigation under Part 2 Section «A» of Article 282 of Russian Criminal Code (inciting hatred or enmity and threatening violence) was opened against Kamardin, along with Nikolai Daineko and

Yegor Shtovba, two other participants of the «anti-mobilisation» readings. **According to the investigation**, they «incited hatred against Donetsk and Lugansk militia».

Later, the charges were reclassified as inciting hatred as part of an organised group (Section «C» of the same Article), and a charge was **added** for calls for actions committed against the security of the state conducted by an organised group (Part 3 of Article 280.4 of Russian Criminal Code). The investigation considered such calls to be advice to ignore draft notices, not sign for receiving them, abstain from visiting military recruitment offices and remember the above.

In May, Daineko was **sentenced** to four years of prison after he struck a plea agreement with the prosecution. Other people involved were taken into custody, and their cases are currently being looked over by the court.

MOBILISATION-RELATED ARSON

Since mobilisation began, Russia has seen an increase in direct action protests, particularly arson in military recruitment offices. According to **information** from «Mediazona», during the first month of mobilisation, from September to October 21st 2022, at least 36 military recruitment offices and other administrative facilities were set on fire. In total, there have been more than 100 cases of arson or attempted arson of military registration and enlistment offices and other law enforcement agencies **recorded** since the war began.

As a result, law enforcement officers began to more actively and more often initiate criminal investigations into such actions. As 2023 approached, arsonists were regularly charged with terrorism and sabotage. While these acts are far from traditional means of protesting, they are hard to qualify as terrorist attacks.

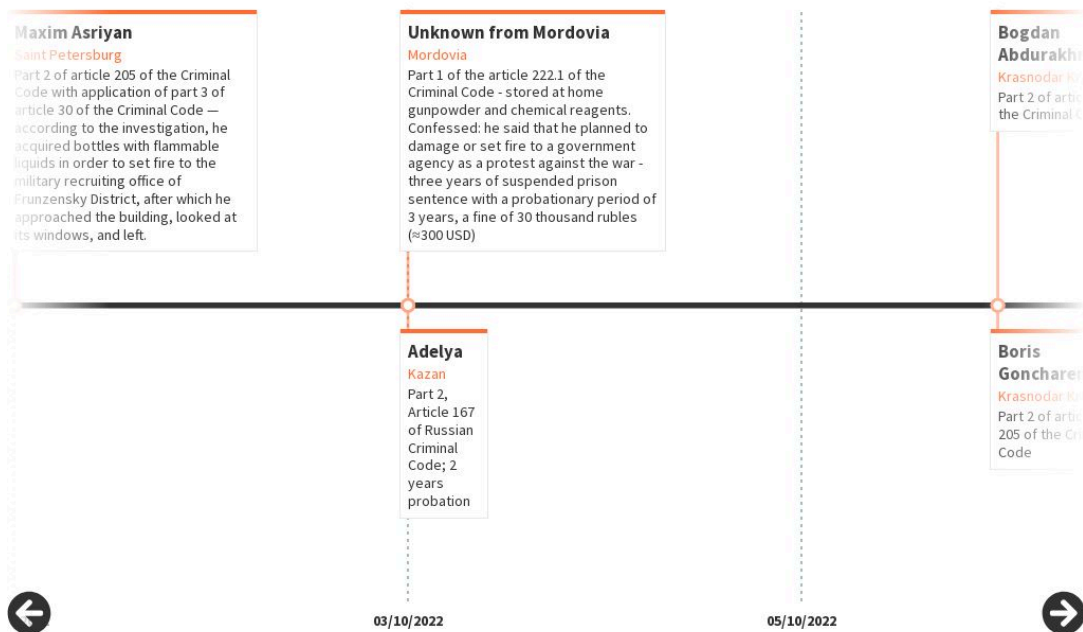
According to the Criminal Code, to classify an act as an instance of terrorism, the threat of death, significant property damage or other harsh consequences must be real. That is determined individually from case to case, depending on the place, time, equipment and means of committing the «criminal act».

As «Solidarity Zone» **notes**, no such evaluation was performed to qualify these acts of arson as terrorism, and from what is known about the case, it is clear that no serious consequences occurred, and there was no real danger as a result of the arson. Therefore, this qualification is unfounded. Moreover, individuals were rarely charged with sabotage before the end of 2022 and the beginning of 2023 (only one person over the course of 2022), but after a wave of direct action protests, the article was made stricter and was invoked **more frequently**, often without reason.

OVD-Info is currently aware of 31 people involved in criminal cases related to arson and attempted arson initiated the month after mobilisation began.

We included in this number only the cases in which no people were harmed, and no significant damage was done to the property. In addition, we carefully study the persecuted individuals' attitudes toward the war, the context and the time of the act. Acts committed with the intent of making money are not usually included in the graphs.

Chronology of arson incidents that resulted in criminal cases



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CHANGES IN THE LEGISLATION RELATED TO THE MOBILIZATION

In order to conduct mass conscription, the authorities made significant changes to the legislation — both before announcing the mobilisation, and after, when people looked for solutions to avoid it and not end up in the army.

What changes did the officials make to the legislation:

- 20 September 2022, the day before announcing the mobilisation:

Additions to the Criminal Code:

- The terms »mobilisation«, «war time» and «martial law»;
- New articles: on voluntary surrender (article 352.1) and looting (article 356.1). For surrendering, you can get from three to 10 years of imprisonment, if there is no sign of treason, for looting — up to 15 years in jail;
- Addition: in the list of aggravating circumstances (article 63 of the Criminal Code), committing a crime during a period of mobilisation or martial law, in wartime, was added.

In addition, the legislation increased the penalty for leaving the military unit unauthorised during mobilisation and martial law (article 337 of the Criminal Code), which is up to 10 years in prison. Russians in the reserve that have been conscripted for military training bear criminal liability for failure to appear or desertion on the same basis as contract soldiers and conscripts.

- 27 October 2022, a month after announcing the mobilisation and mass protests

The State Duma enacted a new regulatory document that allows people performing alternative civilian service to be sent to civilian positions within the army of the Russian Federation. The law also significantly shortened the list of crimes for which a conviction prevents individuals from being conscripted during mobilisation.

- 11 April 2023, after Vladimir Putin reported 318,000 mobilised citizens.

The authorities introduced administrative liability for «unauthorised entry» to guarded state facilities (**NOTE:** »...a facility of the Armed Forces of the Russian Federation, the federal executive body authorized to solve tasks in the field of civil defence, the SVR, the FSB, the system of the federal executive body in the field of internal affairs, institutions and bodies of the penal system of the Russian Federation,

facilities assigned to the jurisdiction of the federal executive body in the field of mobilisation preparation and mobilisation»). Due to the vague wording, «unauthorised entry» could mean anything: for example, attempts of relatives or lawyers to approach an illegally mobilised person. Repeated entry on such a facility bears **criminal** liability.

On the same day, another law was adopted, which shows that the authorities have seriously modernised the mobilisation system itself. The changes were likely adopted because of the events in September, when advice not to take a summons, not to go to the military recruitment centre and, if possible, to leave the country was widespread. This law provides for the creation of a digital register of military records. It will store the personal data of a person liable for military service, including their place of residence and place of stay, place of work, information on health status and other data.

Almost all departments and organisations, including medical and educational institutions, are obliged to transmit information to this register. Military enlistment offices will be able to send summonses by registered mail or electronically to a personal account on the Federal State Information System, and the summons will be considered served as soon as it is placed in the personal account. After «submission» the person liable for military duty is prohibited from leaving the country until he reports to the military enlistment office. He may be deprived of the right to drive a car, register real estate and take out loans.

The adoption of this law was also criticised. The St. Petersburg and Novosibirsk branches of the Russian United Democratic Party Yabloko party tried several times to coordinate marches against electronic summonses, but they were refused each time. A court in St. Petersburg ruled such a refusal illegal, but the rally was never agreed upon. In Krasnoyarsk region, the local FSB announced the detention

of participants of the movement «Citizens of the USSR, » a group that denies the existence of the Russian Federation and protests for impunity before the Russian legal system. The activists, according to the law enforcement agencies, were planning to blow up mobile phone base stations in order to prevent the sending of electronic summonses.

- 31 July 2023

Deputies of the State Duma have adopted a law that significantly increases fines for violations of the rules of military registration. In particular, the fine for failure to appear at a military enlistment office to receive a summons has increased from 10,000 to 30,000 rubles (≈ 100 – 300 USD). The law comes into effect on 1 October 2023. Now the amount of fines ranges from 500 to 3,000 rubles (≈ 5 – 30 USD).

CRIMINAL CASES AGAINST MOBILISED PERSONS

<p>Maxim Moiseyev <i>article on draft evasion (Art. 328 of the Criminal Code)</i></p> <p>Moiseyev's case was dismissed and he was even awarded compensation of 20,000 roubles for illegal criminal prosecution.</p>	<p>Andrey K. from Vladivostok <i>article on disobeying an order in wartime (part 2.1 of article 332 of the Criminal Code)</i></p> <p>The criminal case was initiated after the man failed twice to comply with orders and refused to go to fight in Ukraine: the first time - in October on the parade ground in the presence of other mobilised men, and the second time - in November in the office of the headquarters of the military unit. He was sentenced to 2 years and 10 months in prison. The court explained its decision by saying that the law does not provide for the possibility of replacing military service through mobilisation with alternative civilian service.</p>	<p>Unknown resident <i>article on leaving the military unit during mobilisation (Art. 337 of the Criminal Code)</i></p> <p>After mobilisation units of Ulan-Udinsk defender Pavel will not go to aid Ukrainians." The hole in the fence</p>
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As «Mediazona» discovered, in the first half of 2023, Russian military courts received 2,076 criminal cases of unauthorised abandonment of a unit (Article 337 of the Criminal Code). This is twice as much as in the whole of 2022. As of July 2023, the court websites published 330 verdicts in such cases, most of them against mobilised persons.

According to the Judicial Department, 1,121 people were convicted for evading conscription (Part 1 of Article 328 of the Criminal Code) in 2022, and 928 in 2021.

At the moment, there are many criminal cases that involve the refusal of mobilised men to fight. Apparently, however, an overtly anti-war motive can't be found in all of them. OVD-Info is aware of six criminal cases in which the defendants refused to fight because they considered war unacceptable (**(NOTE: The criminal cases we talk about and describe below concern only those who were mobilised or refused to fight in the context of mobilisation, after which they were persecuted because of their decision to do so).**

- Maxim Moiseyev — article on draft evasion (Art. 328 of the Criminal Code)

Moiseyev's case was dismissed and he was even awarded compensation of 20,000 roubles for illegal criminal prosecution.

- Andrey K. from Vladivostok — article on disobeying an order in wartime (part 2.1 of article 332 of the Criminal Code)

The criminal case was initiated after the man failed twice to comply with orders and refused to go to fight in Ukraine: the first time — in October on the parade ground in the presence of other mobilised men, and the second time — in November in the office of the headquarters of the military unit. He was sentenced to 2 years and 10 months in prison. The court explained its decision by saying that the law does not provide for the possibility of replacing military service through mobilisation with alternative civilian service.

- Unknown resident of Yakutia — article on leaving a military unit for more than 10 days during mobilisation (part 3.1 of article 337 of the Criminal Code)

After mobilisation, he was enrolled in one of the military units of Ulan-Ude. Then, as reported by human rights defender Pavel Chikov, the man told his commander: «I will not go to any Ukraine, I will not shoot at any Ukrainians.» Then he escaped from the unit through a hole in the fence.

- Mikhail Zhilin and Vladimir Konstantinov — article on desertion (Art. 338 of the Criminal Code)

Zhilin, who was a major in the Federal Security Service, crossed the border into Kazakhstan after mobilisation was announced and sought asylum. He recorded a video message in which he stated that he refused to kill Ukrainian citizens. At the end of December 2022, the man was deported to Russia, and in March 2023 he was sentenced to 6.5 years in a maximum security prison.

Konstantinov worked as a loader at an ice cream factory, and in the autumn of 2022 he was drafted as part of mobilisation. On the eve of being sent to the combat zone, he escaped from a training tent camp, after which he lived at home with his mother. In January 2023, after receiving a call from an investigator, Konstantinov came to the investigation department and fully admitted guilt, stating that «it was better to go to prison than to the front». In May 2023, he was sentenced to 5 years in prison.

- Yuriy Yatsentyuk — article on illegal border crossing (Art. 322 of the Criminal Code)

After receiving a summons to the military registration and enlistment office, Yatsenyuk tried to cross the border with Poland: being of Ukrainian descent, he did not want to fight against his fellow countrymen. He was detained and a criminal case was opened, and then he was fired from his job. In February 2023, Yatsenyuk was sentenced to six months of correctional labour.

SUMMARY

The announcement of mobilisation in September 2022 clearly marked the beginning of a new round of anti-war protests, and therefore of repression. Some practices — such as issuing summonses directly at police stations — were used by security forces for the first time at mobilisation protests. In the past, law enforcement agencies have used methods of pressure such as mass criminal cases due to participation in mass protests.

Long-standing systematic repression helped the security forces suppress the September surge of anti-war protests. However, these same practices contributed to the development of protests in the form of direct actions — arson attacks on military recruitment centres and damage to railway equipment. The authorities responded by increasing sentences for such actions (including classifying them as terrorist acts) and tightening legislation on «sabotage.»

Despite this, mobilisation has also contributed to unifying people and civil society: new projects and initiatives have emerged to help people leave and avoid mobilisation, such as »Go to the forest« and the social media bot »I will not go«. Organisations that tell people why they should not take a summons and go to the military enlistment office have become even more relevant and more in demand — among them are »Appeal to Conscience«, »Conscript School« and »Committee of Soldiers' Mothers«. From this, we can conclude that each wave of increased state violence brings a new wave of solidarity.